

**RESOLUTION AMENDING DATES OF ANNUAL
LEGISLATIVE SESSION**

2004 GENERAL SESSION

STATE OF UTAH

Sponsor: Steven R. Mascaro

LONG TITLE

General Description:

This joint resolution of the Legislature proposes to amend the Utah Constitution to provide for a seven-day unpaid adjournment during annual general sessions.

Highlighted Provisions:

This resolution proposes to amend the Utah Constitution to:

- ▶ require the Legislature to have an unpaid adjournment for seven days after the 28th day of each annual general session, unless a majority of each house votes not to adjourn;
- ▶ clarify a limitation on compensation that applies to annual and special sessions trying cases of impeachment; and
- ▶ make technical changes.

Special Clauses:

This resolution directs the lieutenant governor to submit this proposal to voters.

This resolution provides an effective date of January 1, 2005.

Utah Constitution Sections Affected:

AMENDS:

ARTICLE VI, SECTION 2

ARTICLE VI, SECTION 15

ARTICLE VI, SECTION 16



Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each of the two houses voting in favor thereof:

Section 1. It is proposed to amend Utah Constitution Article VI, Section 2, to read:

Article VI, Section 2. [Time of annual general sessions -- Recess.]

~~[Annual]~~ (1) Each annual general [sessions] session of the Legislature shall be held at the seat of government and shall begin on the third Monday in January.

(2) After the 28th day of each annual general session, the Legislature shall adjourn without pay for a period of seven calendar days, unless a majority of the members elected to each house vote not to adjourn. After an adjournment under this section, the Legislature shall reconvene on the 36th day of the annual general session.

Section 2. It is proposed to amend Utah Constitution Article VI, Section 15, to read:

Article VI, Section 15. [Sessions to be public -- Adjournments requiring consent of the other house.]

(1) All sessions of the Legislature, except those of the Senate while sitting in executive session, shall be public~~[-and neither]~~.

(2) Neither house, without the consent of the other, ~~[shall]~~ may:

(a) except for an adjournment under Subsection (2) of Article VI, Section 2, adjourn for more than three days~~[-nor]; or~~

(b) adjourn to any other place than that in which it ~~[may be]~~ is holding session.

Section 3. It is proposed to amend Utah Constitution Article VI, Section 16, to read:

Article VI, Section 16. [Duration of sessions.]

~~[No]~~ (1) Except in the case of impeachment, no annual general session of the Legislature ~~[shall]~~ may exceed:

(a) for an annual general session that includes a seven-day adjournment as provided in Subsection (2) of Article VI, Section 2, 52 calendar days; or

(b) for an annual general session that does not include a seven-day adjournment because a majority of members elected to each house vote not to adjourn, 45 calendar days~~[-except in cases of impeachment]~~.

(2) No special session ~~[shall]~~ may exceed 30 calendar days, except in ~~[cases]~~ the case of impeachment.

(3) When any session of the Legislature trying ~~[cases]~~ a case of impeachment exceeds

the number of days it may remain in session as provided in this section, the members shall receive compensation only for expenses and mileage for those days in excess of:

(a) for an annual general session:

(i) 52, if the annual general session includes a seven-day adjournment as provided in Subsection (2) of Article VI, Section 2; or

(ii) 45, if the annual general session does not include a seven-day adjournment because a majority of members elected to each house vote not to adjourn; or

(b) for a special session, 30.

Section 4. **Submittal to voters.**

The lieutenant governor is directed to submit this proposed amendment to the voters of the state at the next regular general election in the manner provided by law.

Section 5. **Effective date.**

If the amendment proposed by this joint resolution is approved by a majority of those voting on it at the next regular general election, the amendment shall take effect on January 1, 2005.

Legislative Review Note

as of 10-6-03 2:47 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Legislative Committee Note

as of 12-09-03 8:27 AM

The Legislative Process Committee recommended this bill.